

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

MAPLE LEAF HOUSING  
INVESTMENTS, LLC, a Washington  
company,

Plaintiff,

vs.

TEXACO DOWNSTREAM PROPERTIES  
Inc., a Delaware corporation,

Defendant.

Case No. 2:18-cv-01710-RSL

**STIPULATED MOTION AND  
ORDER FOR 90-DAY STAY OF  
LITIGATION PENDING  
COMPLETION OF SETTLEMENT  
DISCUSSIONS**

Plaintiff MAPLE LEAF HOUSING INVESTMENTS, LLC (“MLHI”) and defendant TEXACO DOWNSTREAM PROPERTIES INC. (“TDPI”) jointly move the Court for an Order (1) staying the litigation, with the exception of settlement discussions, for 90 days and (2) vacating the current trial date and operative case management order (Dkt. # 40). As set forth in greater detail below, the parties are engaged in ongoing settlement negotiations and wish to preserve their, and the Court’s, resources by focusing on a negotiated resolution of this matter rather than active litigation.

Trial in this matter is set for February 1, 2021 and expert reports are due August 5, 2020. Dkt #40. The Parties are hopeful that relief from litigation

1 deadlines will allow them to focus on settlement discussions that will result in settlement  
2 of the case. A notice of settlement will be filed if settlement is reached or, if settlement  
3 has not been reached by the end of the stay period, the Parties will provide a joint status  
4 report to the Court that addresses the status of settlement discussions and proposed case  
5 management.

6 Pursuant to the Western District's Local Civil Rule ("LCR") 16(d), a  
7 case management schedule may be modified for good cause with the Judge's consent and  
8 under LCR16(m)(2) a court, by order, may modify any deadline set forth in LCR 16.  
9 There is good cause for the Court to grant this Motion because MLHI and TDPI have  
10 reached an agreement regarding a procedure to discuss settlement, the parties have taken  
11 steps to effectuate that agreement, and, if settlement is reached, there will be a benefit  
12 both to the parties themselves (foregoing unnecessary litigation activity and expense) and  
13 to the Court (conserving judicial resources). Moreover, the parties believe that the  
14 proposed course is a reasonable alternative to pursuing litigation or seeking other relief  
15 from the Court due to the impact of the COVID-19 pandemic.

16 Based on the foregoing, MLHI and TDPI jointly request that the Court  
17 issue an order:

- 18 (1) Vacating the current trial date and case management order;
- 19 (2) Staying litigation activity for 90-days, with the exception of settlement  
20 discussions and other ADR activities; and
- 21 (3) Setting a deadline for a joint status report on settlement and proposed case  
22 management no later than 14 days after the litigation stay ends.

23  
24 IT IS SO STIPULATED THROUGH COUNSEL OF RECORD  
25  
26  
27

1 Dated: July 16, 2020,

ROGERS JOSEPH O'DONNELL, PC

2  
3 By: /s/ Robert C. Goodman

4 Robert C. Goodman, WSBA No. 49144  
5 Jon-Erik W. Magnus, WSBA No. 54691  
6 311 California Street, 10th Floor  
7 San Francisco, CA 94104  
8 *rgoodman@rjo.com*  
9 *jmagnus@rjo.com*  
10 Telephone: (415) 956-2828  
11 *Attorneys for Defendant*  
12 TEXACO DOWNSTREAM PROPERTIES  
13 INC.

14 Dated: July 16, 2020

VERIS LAW GROUP PLLC

15 By: /s/ Howard F. Jensen

16 Howard F. Jensen, WSBA No. 25144

17 1809 Seventh Ave., Suite 1400  
18 Seattle, WA 98101  
19 *howard@verislawgroup.com*  
20 Telephone: (206) 829-9590  
21 *Attorneys for Plaintiff*  
22 MAPLE LEAF HOUSING  
23 INVESTMENTS, LLC

24 I attest that concurrence in the filing of this document has been obtained  
25 from Howard F. Jensen, counsel for Maple Leaf Housing Investments, LLC.

26 Dated: July 16, 2020 ROGERS JOSEPH O'DONNELL

27 By: /s/ Robert C. Goodman  
28 ROBERT C. GOODMAN  
Attorneys for Defendant

**ORDER**

The Court ORDERS as follows:

1. The trial date in this matter and Case Management Order in this matter are VACATED.
2. With the exception of settlement discussions or other ADR-related activities, the parties shall stay all litigation activities, including discovery, for 90 days after entry of this Order.
3. On or before October 30, 2020, the Parties will file a joint status report advising the Court of the following: (1) status of settlement; (2) likelihood of settlement; and (3) a proposed case management schedule.

In the event that the case settles, counsel shall notify Deputy Clerk, Kerry Simonds at 206-370-8519 as soon as possible.

**PURSUANT TO STIPULATION, IT IS SO ORDERED.**

Dated this 17th day of July, 2020.

  
HONORABLE ROBERT S. LASNIK  
U.S. DISTRICT COURT JUDGE